



## **Limerick City and County Council**

### **Planning Department**

#### **Section 5 Application**

#### **DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

Applicant's Name: Adhesive Research Ireland

Applicant's Address: Derryokane Avenue, Raheen Business Park,  
Raheen, Co. Limerick

Telephone No. \_\_\_\_\_

Name of Agent (if any): Adam Kearney (AK Planning)

Address: Millside, Mill Road,  
Corbally, Limerick, V94 46X5

Telephone No. 086 6887402

Address for Correspondence:

As per Agent

Location of Proposed development (Please include **EIRCODE**):

Derryokane Avenue, Raheen Business Park,

Raheen, Co. Limerick, V94 VH22

Description of Proposed development:

Whether an internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard is or is not development and if

it is deemed development whether it is exempt development

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed: Section 4(1) The following shall be exempted developments for the purposes of this Act - (h) development consisting of the use of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Is this a Protected Structure or within the curtilage of a Protected Structure.

YES  NO

Applicant's interest in site: Owner

List of plans, drawings, etc. submitted with this application:

Cover Letter, Site Location Map, Site Layout Plan, Proposed Floor Plans,

Elevations (No Changes)

Have any previous extensions/structures been erected at this location YES  NO

If Yes please provide floor areas of all existing structures:

10/297 - Conditional - Permission for revisions to existing planning permission reference

07 /2985 which is for a two-storey research & development support building.

The revised proposal is for the construction of a single storey research & development building of similar footprint, including associated offices, canteen and ancillary facilities linked to the existing building with car parking and all other associated site works.

Signature of Applicant (or Agent) Adam Kearney (Agent)

**NOTES:** Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

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Application to be forwarded to:

**Planning Department,  
Limerick City & County Council,  
Dooradoyle,  
Limerick,  
V94 XF67**

**Enquiries:  
Telephone: 061-556556  
E-Mail: [planning@limerick.ie](mailto:planning@limerick.ie)**

\*\*\*\*\*



CHARTERED TOWN PLANNING CONSULTANCY

Millside, Mill Road, Corbally,  
Limerick, Ireland V94 46X5  
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E: info@akplanning.ie

Planning & Placemaking,  
Limerick City & County Council,  
Dooradoyle,  
Limerick.

08-04-2025

**RE: Section 5 Declaration Request**

A Chara,

I act for Adhesive Research Ireland who are seeking a Section 5 Declaration. As per the completed Section 5 Declaration Form attached and as presented below,

**Question:**

*Whether an internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard is or is not development and if it is development whether it is exempt development.*

We are seeking this declaration under the following section of the Planning and Development Regulations.

**Section 4(1)** The following shall be exempted developments for the purposes of this Act  
- (h) development consisting of the use of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the

structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

The following points are salient in this case;

- The works involved are internal with only some minor fenestration changes to a non-public realm facing elevation to an inner courtyard area.
- The works do not involve any drainage or water supply requirements.
- The original manufacturing process remains the same with the machine involved only introduced to cut the adhesive tape for the benefit of certain customers.
- There is no intensification of use involved in this proposal as the process will only require 2 or possibly 3 additional staff. In this regard it is important to understand that the facility currently employs 65 staff across 2 shifts but previously employed 90 staff in 2021 and 2022. The building, car parking, canteen, staff changing areas etc can accommodate up to 100 staff.
- Any changes or alteration to the plant internally will be the subject of a revisions to the existing FSC and DAC through normal Building Control processes.

There is a planning application 24/384 in train for this proposal and it is currently under appeal (ABP-321825-25). I was asked by the company to formulate a first party response to the appeal, but on examination of the application that was made I arrived at the conclusion that the application was not required in the first instance.

The company are in the unfortunate situation of having expended a large amount of money to purchase equipment and the delay that now results from a 3<sup>rd</sup> party planning appeal relating to surface water concerns in the wider area of Raheen Business Park threatens to impact this inward investment in the plants Limerick Operations.

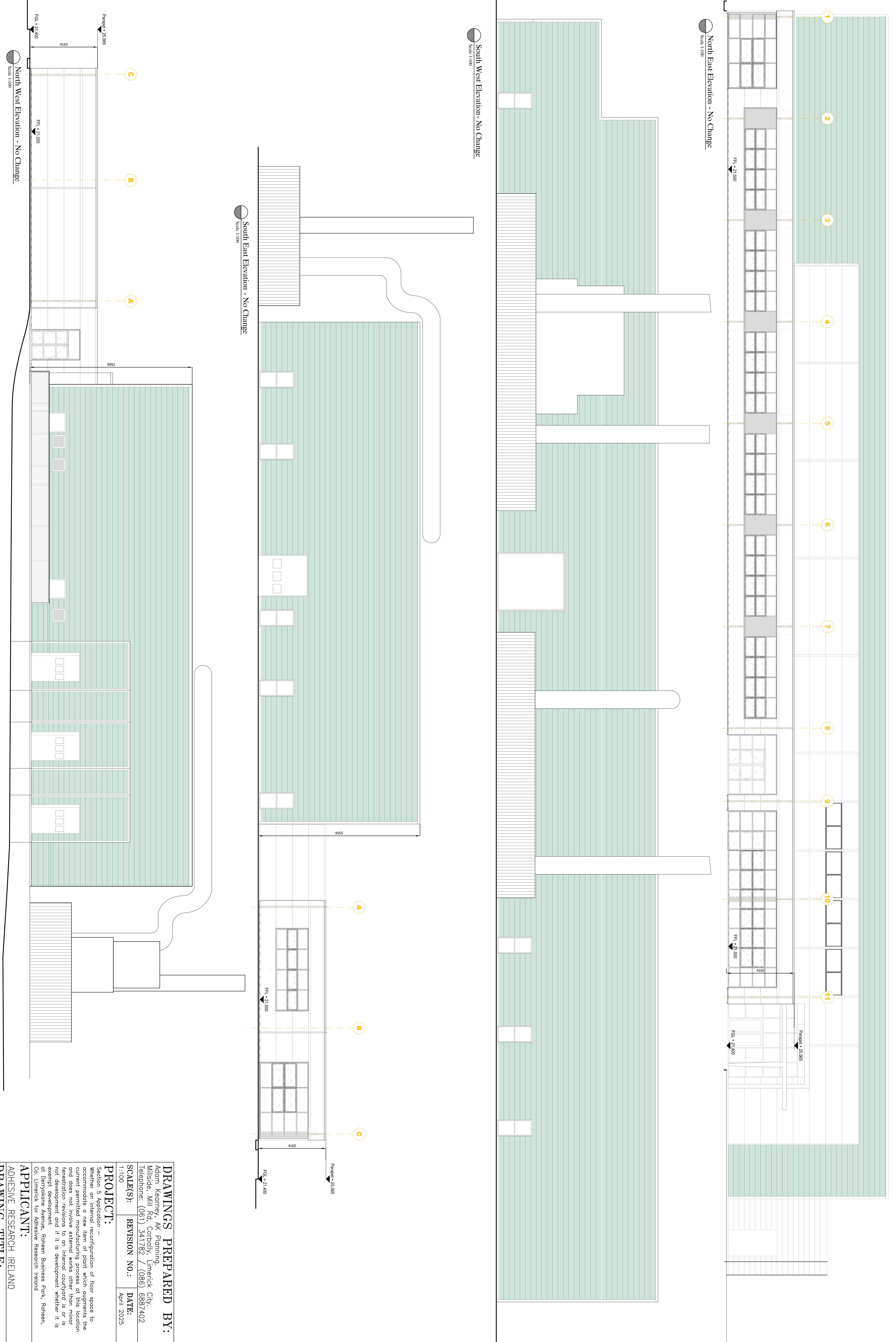
I would trust that this Section 5 can consider this proposal exempt and that we can withdraw the planning application.

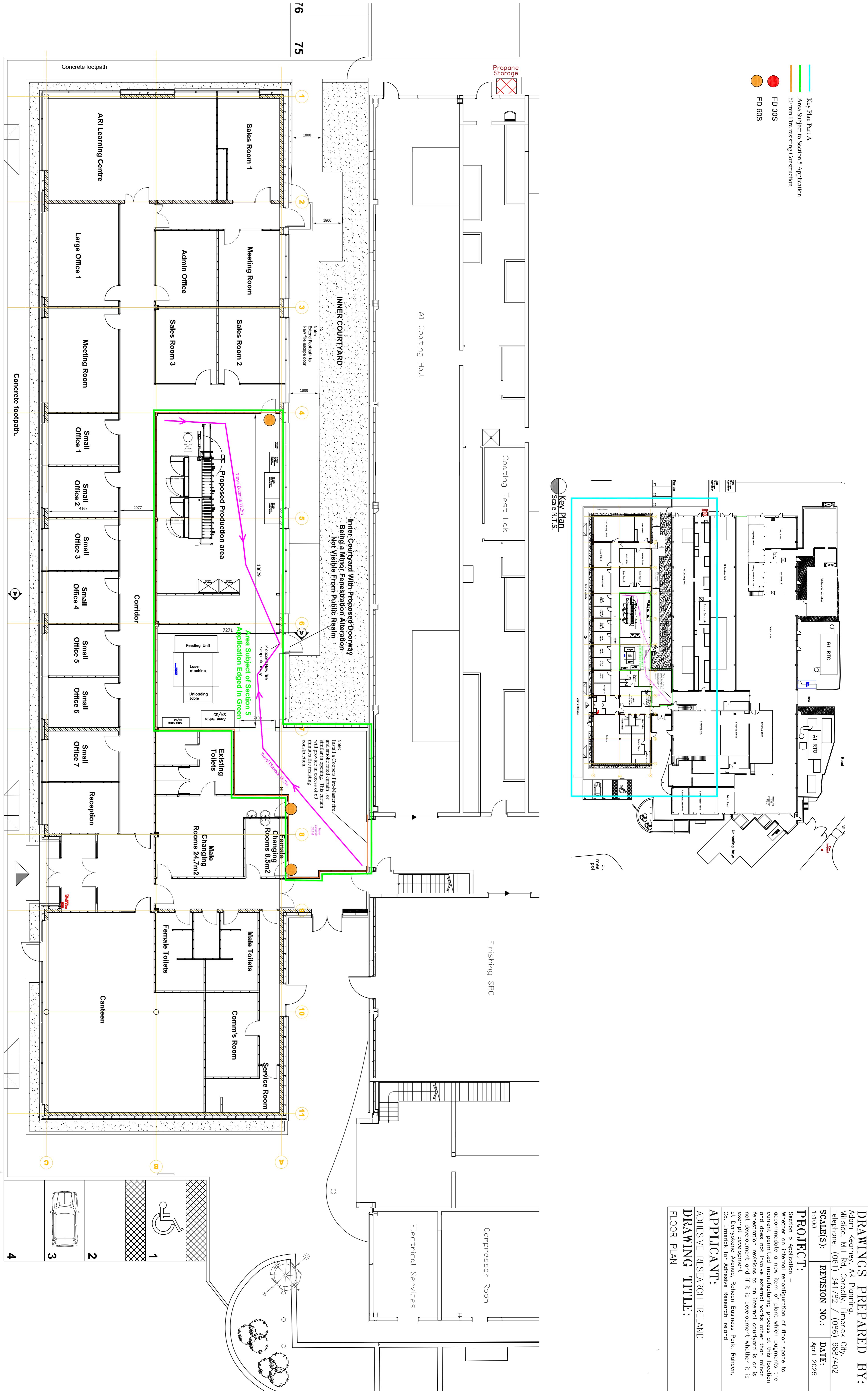
Yours Faithfully,

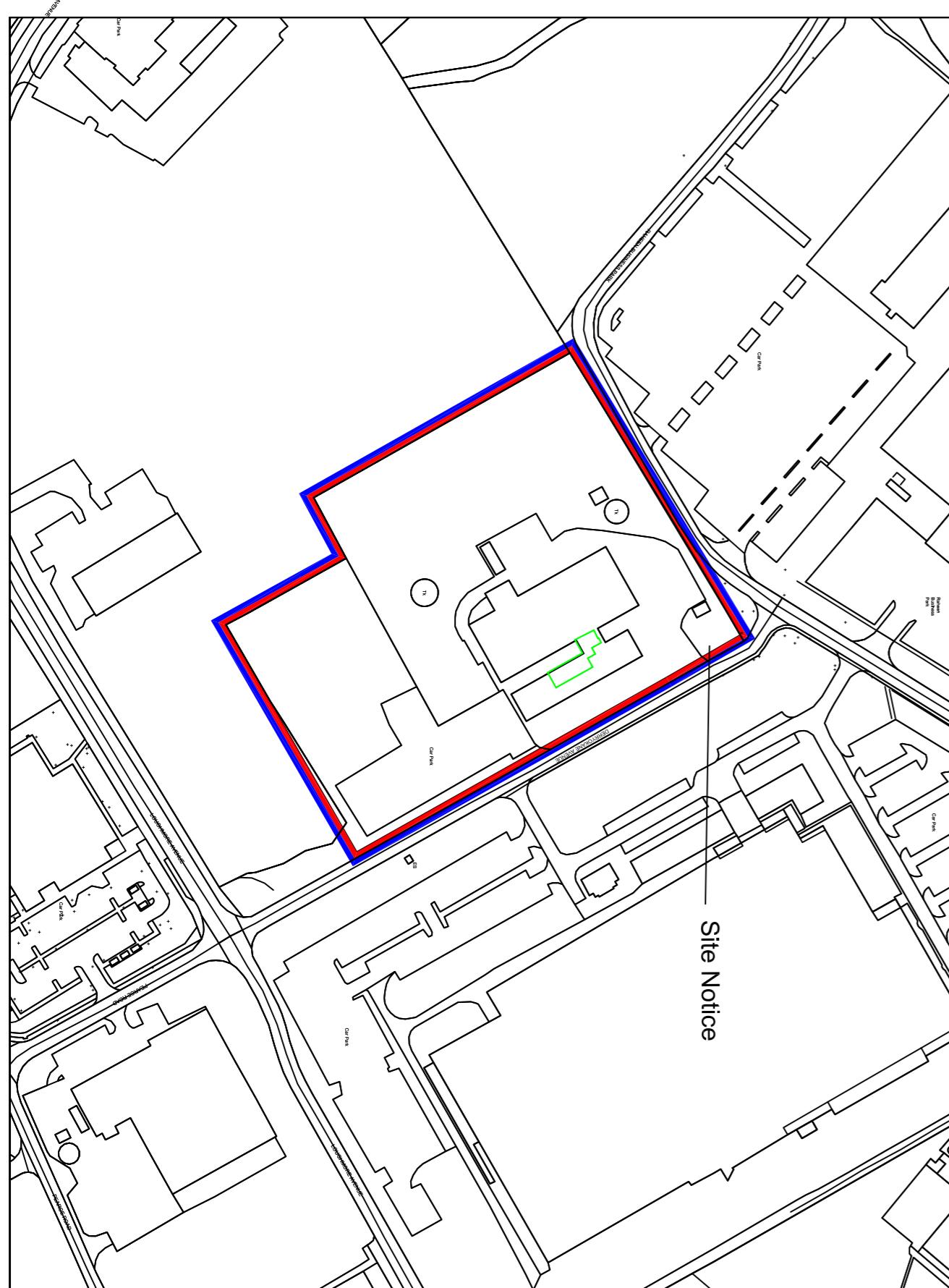


Adam Kearney BA MA MIPI MRTPI

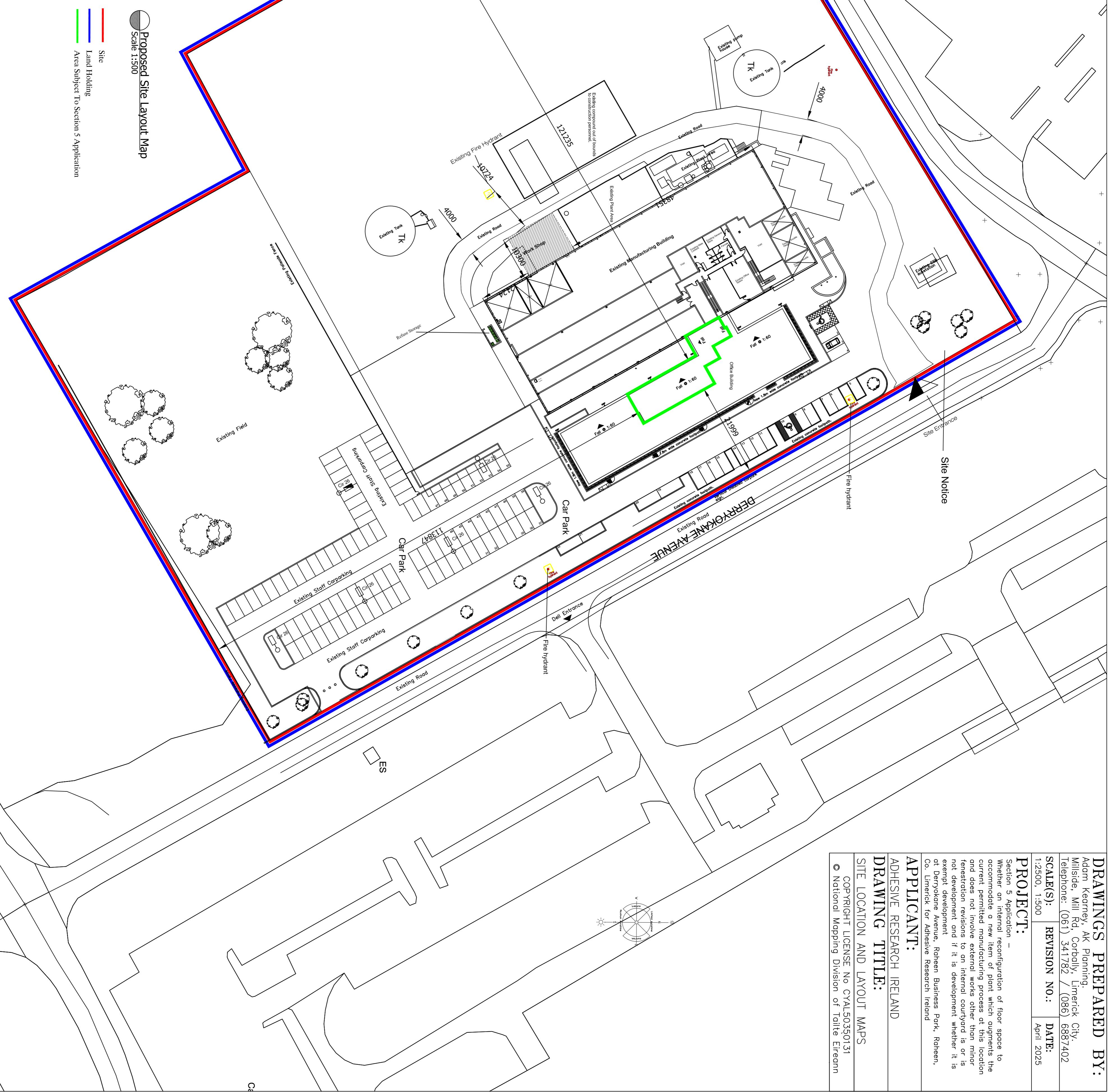
Fee of 80.00 paid to the Local Authority: **Receipt No. 2078973**







Proposed Site Layout Map  
Scale 1:500





LIMERICK CITY & COUNTY COUNCIL  
CIVIC OFFICES  
MERCHANTS QUAY  
LIMERICK

08/04/2025 10:32:05

Receipt No./  
Uimhir Admhála : RC6/0/2078973

Adam Kearney  
Adhesive Research Ireland

EXEMPTION CERTIFICATES 80.00  
GOODS 80.00  
VAT Exempt/Non-vatable

Total/Iomlán : 80.00 EUR

Tendered/Tairgthe :  
Credit / Debit Card 80.00  
VISA  
\*1484\*  
\*\*\*\*

Change/Sóinseáil : 0.00

Issued By/  
Eisithe ag : Sarah Scales  
From/Ó : REVENUE CASH OFFICE 6 - MERCHANTS QUAY  
Vat reg No./Cláruimhir CBL: 3267368TH

**Report on application under Section 5 of the Planning and Development Act 2000 (as amended)**

<b>Reference no.</b>	EC-077-25
<b>Name and Address of Applicant:</b>	Adhesive Research Ireland Derryokane Avenue Raheen Industrial Park Limerick V94 VH22
<b>Agent:</b>	Adam Kearney, AK Planning Millside Mill Road Corbally Limerick V94 46X5
<b>Location:</b>	Derryokane Avenue Raheen Industrial Park Limerick V94 VH22

**Description of Site and Surroundings:**

The site is located within Raheen Industrial Park and occupied by an existing industrial unit bounded to the rear by the Regeneron Campus with the old Dell Technologies building on the opposite side of the road.

**Zoning:**

High Tech/Manufacturing

**Proposal:**

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard

This Section 5 declaration includes the following:

- Application Form
- Cover letter
- Site location map
- Elevations
- Floor plans

**Planning History:**

24/384: Adhesive Research Ireland were granted conditional permission for a change of use within the current administration area from an open plan office space to a production area. The decision was appealed by a third party to An Bord Pleanala (ref: 25/321828). A decision has yet to be made.

19/156: Adhesive Research Ireland Ltd were granted conditional permission for the construction of a workshop/storeroom to the rear of existing building.

17/1185: Adhesive Research Ireland Ltd were granted conditional permission for the construction of a workshop/storeroom to the rear of existing building

10/297: Adhesive Research Ireland Ltd were granted conditions permission for revisions to existing planning permission reference 07/2985 which is for a two storey research & development support building. The revised proposal is for the construction of a single storey research & development building of similar footprint, including associated offices, canteen and ancillary facilities linked to the existing building with car parking and all other associated site works

07/2985: Adhesive Research Ireland Ltd were granted conditional permission for the construction of a new two storey research and development extension to the front (Northeast) side of the existing two storey building with a single storey external link corridor on the side. (Southeast) linking the proposed extension to the existing building. The proposed extension will comprise of research and development laboratories, with associated support offices and ancillary accommodation all with associated site works and including an extension to the existing carpark located on the Northeast side of the site at the existing Adhesives Research Facility Building

### **Enforcement History**

N/A

### **Assessment**

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

### **Is the proposal development?**

**Section 2(1) in this Act, except where otherwise requires –**

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘structure’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

**Section 3(1) defines ‘development’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.**

The proposed development on site, comprising change of use from office space to production area and the internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve

external works other than minor fenestration revisions to an internal courtyard constitutes 'works' and 'development'.

#### Is the proposal exempted development?

The proposal is not considered to fall under any class as detailed in Part 1 or Part 2 of Schedule 2 of the Planning and Development Regulations 2001 (as amended). It will therefore be assessed as per Section 5(4) of the Planning and Development Act.

#### **5(4) of the Planning and Development Act 2000 (as amended)**

*Notwithstanding subsection (1), a planning authority may, on payment to the Board of such fee as may be prescribed, refer any question as to what, in any particular case, is or is not development or is or is not exempted development to be decided by the Board.*

As noted above, there is a current planning application with An Bord Pleanala for the proposed works. It is the Planning Authority's opinion that as a decision has yet to be made by the Bord, the Planning Authority consider that this Section 5 proposal should also be assessed by An Bord Pleanala.

#### **Article 9 Restrictions**

'The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended)'.

#### **Appropriate Assessment**

An AA Screening examination was carried out by Limerick City & County Council (see appendix 1). Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. It is also noted that an AA Screening was carried out by the applicant as part of the Planning Application (24/384) which informed LCCC's screening. It was considered that the AA Screening was satisfactory subject to conditions. Therefore, it is considered that an Appropriate Assessment is not necessary (See appendix 1 for AA Screening Form).

#### **Environmental Impact Assessment**

Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

#### **Conclusion/Recommendation**

Regard has been had to –

- (a) Section 2, 3 and 4 and 5 of the Planning and Development Act 2000 (as amended)
- (b) planning application 24/384 and associated appeal to An Bord Pleanala ( 25/321828)
- (c) The plans & particulars submitted with the application received on 9<sup>th</sup> April 2025.

The proposal is subject to an appeal currently with An Bord Pleanala therefore as per Section 5(4) of the Planning and Development Act, the Planning Authority will be referring the question to An Bord Pleanala.

  
Aine Leland  
Executive Planner  
Date 02/05/2025

Agreed   
Barry Henn, S.E.P  
Date: 02/05/2025

**Appendix 1- AA Screening examination**  
**AA PN01 Screening Form**

**STEP 1: Description of the project/proposal and local site characteristics:**

a. File Reference No:	EC/077/25
b. Brief description of the project or plan:	This is an application requesting a Section 5 Declaration on whether Internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard is or is not exempted development.
c. Brief description of site characteristics:	The site is located within Raheen Industrial Estate
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

**STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.**

European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
Lower River Shannon SAC 002165	<u>Lower River Shannon SAC</u>   <u>National Parks &amp; Wildlife Service (npws.ie)</u>	2.9km	None	N
River Shannon & River Fergus Estuaries SPA 004077	<u>River Shannon and River Fergus Estuaries SPA</u>   <u>National Parks &amp; Wildlife Service (npws.ie)</u>	3.3km	None	N

**STEP 3: Assessment of Likely Significant Effects**

**a. Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:**

Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
<b>Construction phase e.g</b> <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Demolition</li> <li>• Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>• Dust, noise, vibration</li> <li>• Lighting disturbance</li> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials</li> <li>• Access to site</li> <li>• Pests</li> </ul>	None. Given that application is for a change of use therefore minimal works proposed
<b>Operation phase e.g.</b> <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g collision risk)</li> <li>• Potential for accidents or incidents</li> </ul>	None. Given that the application is for a change of use and there is no discharge from the process to public infrastructure as a result.
In-combination/Other	N/A given the level of development

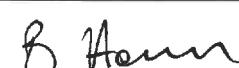
**b. Describe any likely changes to the European site:**

<b>Examples of the type of changes to give consideration to include:</b> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the</li> </ul>	None. Given that the application is for a change of use and there is no discharge from the process to public infrastructure as a result.
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structure or ecological function of the site	
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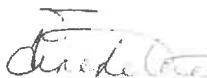
c. (Are ' <i>mitigation</i> ' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>STEP 4: Screening Determination Statement</b>			
<b>The assessment of significance of effects:</b> Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives			
On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:			
<ul style="list-style-type: none"> <li>• the nature and scale of the proposed development on fully serviced lands,</li> <li>• the intervening land uses and distance from European sites,</li> <li>• the lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul>			
it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.			
<b>Conclusion: AA Screening is not required.</b>			
i. It is clear that there is no likelihood of significant effects on a European Site	Tick as appropriate:	<b>Recommendation:</b>  The proposal can be screened out: <b>Appropriate Assessment not required.</b>	
			ii. It is uncertain whether the proposal will have a significant effect on a European Site
			iii. Significant effects are likely
<b>Signature and Date of Recommending Officer:</b>			

	
<b>Aine Leland</b> <b>Executive Planner</b> <b>02/05/2025</b>	
<b>Signature and Date of the Decision Maker:</b>	
<b>Barry Henn, Senior Executive Planner 02/05/25</b>	

### Appendix 2 – EIA Screening

<b>Establishing if the proposal is a 'sub-threshold development':</b>		
<b>Planning Register Reference:</b>	EC/077/25	
<b>Development Summary:</b>	This is an application requesting a Section 5 Declaration on whether Internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard is or is not exempted development	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/>	Yes. no further action required
	<input checked="" type="checkbox"/>	No. Proceed to Part A
<b>A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)?</b> (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _____		EIA is mandatory  No Screening required
<input checked="" type="checkbox"/> No		<b>Proceed to Part B</b>
<b>B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds?</b> (Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		<b>No Screening required</b>

<input type="checkbox"/>	Yes the project is listed in Schedule 5. Part 2 and meets/exceeds the threshold, specify class (including threshold): <u>[specify class &amp; threshold here]</u>	EIA is mandatory  No Screening required
<input type="checkbox"/>	Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> :  <u>[insert here]</u>	Proceed to Part C
<b>c. If Yes</b> , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/>	Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/>	No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>
<b>Signature and Date of Recommending Officer:</b>	 Aine Leland, Executive Planner 02/05/2025	
<b>Signature and Date of the Decision Maker:</b>	 Barry Henn, SEP 02/05/2025	



Comhairle Cathrach  
& Contae Luimnigh  
**Limerick City  
& County Council**

Pleanáil, agus Cruthú Áite  
Comhairle Cathrach agus Contae Luimnigh  
Bothar Thuar an Daill  
Tuar an Daill, Luimneach  
V94 WV78

Planning and Place-Making  
Limerick City and County Council  
Dooradoyle Road  
Dooradoyle, Limerick  
V94 WV78

## PLANNING & PLACE-MAKING

### REG POST:

**Adhesive Research Ireland,  
c/o Adam Kearney, AK Planning  
Millside  
Mill Road  
Corbally  
Limerick  
V94 46X5**

**EC/077/25**

**06 May 2025**

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### **Re: Declaration under Section 5**

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Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

  
**(for) Senior Planner,  
Development Management**

Tuar an Daill, Luimneach  
Dooradoyle, Limerick

customerservices@limerick.ie  
www.limerick.ie  
@LimerickCouncil  
061 - 556 000

**LIMERICK CITY & COUNTY COUNCIL**

**APPROVED OFFICER'S ORDER**

**SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**No. AOO/DC/2025/449**

**File Ref No. EC/077/25**

**SUBJECT:** Declaration under Section 5.  
Planning and Development Act 2000 as amended  
Planning and Development Regulations 2001 as amended

**RE:** The internal reconfiguration of floor space to accommodate a new item of plant, which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard at Derryokane Avenue, Raheen Industrial Park, Limerick, V94 VH22

**ORDER:** Whereas by Director General's Order No. DG/2024/123 dated 27<sup>th</sup> November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Barry Henn, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Aine Leland, Executive Planner dated 02/05/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Adhesive Research Ireland, c/o Adam Kearney, AK Planning, Millside, Mill Road, Corbally, Limerick, V94 46X5 to state that the works as described above is

**Subject to an appeal currently with An Bord Pleanala therefore as per Section 5(4) of the Planning and Development Act, the Planning Authority will be referring the question to An Bord Pleanala. KC**

Signed

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

06/05/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/449 dated 06/05/2025, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



## **SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT**

**DECLARATION NO.**

**EC/077/25**

**Name and Address of Applicant:** Adhesive Research Ireland, Derryokane Avenue, Raheen Industrial Park Limerick, V94 VH22

**Agent:** Adam Kearney, AK Planning, Millside, Mill Road, Corbally, Limerick V94 46X5

**Whether** the internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard at Derryokane Avenue, Raheen Industrial Park, Limerick, V94 VH22 is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 9<sup>th</sup> of April 2025.

**AND WHEREAS** the Planning Authority has concluded that the internal reconfiguration of floor space to accommodate a new item of plant which augments the current permitted manufacturing process at this location and does not involve external works other than minor fenestration revisions to an internal courtyard at Derryokane Avenue, Raheen Industrial Park, Limerick, V94 VH22 be referred to An Bord Pleanála for decision in accordance with Section 5(4) of the Planning and Development Act, 2000 (as amended).

**NOW THEREFORE** the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above be referred to An Bord Pleanála for decision in accordance with Section 5(4) of the Planning and Development Act, 2000 (as amended).

Signed on behalf of the said Council

*Karen Conlon*

Date: 06/05/2025

**NOTE:** A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.